

***Superseded 5/10/2016***

**10-2-501 Municipal disconnection -- Definitions -- Request for disconnection -- Requirements upon filing request.**

- (1) As used in this part "petitioners" means persons who:
  - (a) own title to real property within the area proposed for disconnection; and
  - (b) have signed a request for disconnection proposing to disconnect that area from the municipality.
- (2)
  - (a) Petitioners proposing to disconnect an area within and lying on the borders of a municipality shall file with that municipality's legislative body a request for disconnection.
  - (b) Each request for disconnection shall:
    - (i) contain the names, addresses, and signatures of the owners of more than 50% of the real property in the area proposed for disconnection;
    - (ii) give the reasons for the proposed disconnection;
    - (iii) include a map or plat of the territory proposed for disconnection; and
    - (iv) designate between one and five persons with authority to act on the petitioners' behalf in the proceedings.
- (3) Upon filing the request for disconnection, petitioners shall:
  - (a) cause notice of the request to be published:
    - (i) once a week for three consecutive weeks in a newspaper of general circulation within the municipality; and
    - (ii) in accordance with Section 45-1-101 for three weeks;
  - (b) cause notice of the request to be mailed to each owner of real property located within the area proposed to be disconnected; and
  - (c) deliver a copy of the request to the legislative body of the county in which the area proposed for disconnection is located.